

**Introduced by Senator Lara**February 22, 2013

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An act to amend Sections 1981, 1983, 48660.1, 48662, and 48918 of, to add Sections 1981.5 and 48662.5 to, and to repeal Section 1981.2 of, the Education Code, relating to pupils.

## LEGISLATIVE COUNSEL'S DIGEST

SB 744, as introduced, Lara. Pupils: involuntary transfer: county community schools and community day schools.

(1) Existing law authorizes a county board of education to establish and maintain one or more community schools into which the county board of education may enroll specified pupils, including, but not limited to, pupils who are expelled for specified reasons, referred as the result of the recommendation by a school attendance review board, probation referred, or homeless children.

This bill would revise the list of pupils who may be enrolled in a county community school to limit the kind of probation referrals and remove pupils who are referred as the result of the recommendation by a school attendance review board and homeless children. The bill would authorize a pupil to challenge a probation referral to a county community school to the juvenile court and request enrollment in another school.

(2) Existing law requires a county community school to prescribe an individually planned educational program based on an educational assessment for each pupil. Existing law requires the course of study of a county community school to be adopted by the county board of education to enable each pupil to continue academic work leading to the completion of a regular high school program.

This bill would require an individually planned educational program to include, but not be limited to, specified services. The bill would

require a county community school to also provide supplemental instruction to pupils who do not demonstrate sufficient progress toward passing the high school exit examination.

(3) Existing law authorizes the governing board of a school district to establish one or more community day schools for pupils in any of kindergarten and grades 1 to 12, inclusive. Existing law authorizes the governing board of a school district to assign a pupil to a community day school only if the pupil meets specified conditions, including, but not limited to, being referred by a school attendance review board or other district-level referral process and being probation referred pursuant to specified law.

This bill would revise that list of conditions to limit the kind of probation referrals and remove a referral by a school attendance review board or other district level referral process. The bill would authorize a pupil to challenge a probation referral to a community day school to the juvenile court and request enrollment in another school.

(4) Existing law states the intent of the Legislature that community day schools include specified program components, including, but not limited to, individualized instruction and assessment.

This bill would provide that individualized instruction and assessment includes specified services and would add an additional program component relating to courses of study that enable each pupil to continue academic work leading to the completion of a regular high school program.

(5) This bill would provide a pupil enrolled in a county community school or a community day school the right to reenroll in his or her former school or another comprehensive school no later than 6 months after initial placement in the school, or immediately after completion of the expulsion period, whichever comes later, as long as the reenrollment is not inconsistent with any applicable conditions of the pupil's probation or parole, as appropriate, thereby imposing a state-mandated local program. The bill would prohibit the pupil from being denied this reenrollment based on his or her failure to comply with any additional criteria imposed by a county board of education or school district beyond the terms of the expulsion order. The bill would prohibit the county board of education and the school district from adding additional academic or behavioral criteria or conditions that would extend the duration of the placement of a pupil in a county community school or a community day school beyond the terms of the expulsion order.

(6) Existing law requires the governing board of each school district to establish rules and regulations governing procedures for the expulsion of pupils. Existing law requires expulsion proceedings to be terminated and the pupil to be immediately reinstated and permitted to return to a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs if a hearing officer or administrative panel decides not to recommend expulsion.

This bill would require that the pupil be permitted to return only to the classroom instructional program from which the expulsion referral was made.

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1981 of the Education Code is amended  
2 to read:

3 1981. The county board of education may enroll in a  
4 community school pupils who are any of the following:

5 (a) Expelled from a school district for any reason ~~other than~~  
6 ~~those specified in subdivision (a) or (e) of Section 48915.~~

7 (b) ~~Referred to county community schools by a school district~~  
8 ~~as a result of the recommendation by a school attendance review~~  
9 ~~board or pupils~~ *Pupils* whose school districts of attendance have,  
10 at the request of the pupil's parent or guardian, approved the pupil's  
11 enrollment in a county community school.

12 (c) (1) ~~Probation-referred~~ *Probation referred* pursuant to  
13 ~~Sections 300, 601, 602, 602 and 654 of the Welfare and Institutions~~  
14 ~~Code.~~

15 (2) On probation or parole and not in attendance in any school.

16 (3) ~~Expelled for any of the reasons specified in subdivision (a)~~  
17 ~~or (e) of Section 48915.~~

1 ~~(d) Homeless children.~~  
 2 *(3) Referrals to a community school pursuant to this subdivision*  
 3 *shall be consistent with Section 48645.5. A pupil may challenge*  
 4 *the referral to the juvenile court and request enrollment in another*  
 5 *school.*

6 SEC. 2. Section 1981.2 of the Education Code is repealed.

7 ~~1981.2. For purposes of this chapter, the term “homeless~~  
 8 ~~children” means either of the following:~~

9 ~~(a) A schooled child who lacks a fixed, regular, and adequate~~  
 10 ~~nighttime residence.~~

11 ~~(b) A schooled child who has a primary nighttime residence~~  
 12 ~~that is any of the following:~~

13 ~~(1) A supervised publicly or privately operated shelter designed~~  
 14 ~~to provide temporary living accommodations.~~

15 ~~(2) An institution that provides a temporary residence for~~  
 16 ~~individuals intended to be institutionalized.~~

17 ~~(3) A temporary, makeshift arrangement in the accommodations~~  
 18 ~~of other persons.~~

19 ~~(4) A public or private place not designed for, or ordinarily used~~  
 20 ~~as, a regular sleeping accommodation for human beings.~~

21 SEC. 3. Section 1981.5 is added to the Education Code, to  
 22 read:

23 1981.5. (a) A pupil who is enrolled in a community school  
 24 shall have the right to reenroll in his or her former school or another  
 25 comprehensive school no later than six months after initial  
 26 placement in the community school, or immediately after  
 27 completion of the expulsion period, whichever comes later, as long  
 28 as the reenrollment is not inconsistent with any applicable  
 29 conditions of the pupil’s probation or parole.

30 (b) A pupil shall not be denied reenrollment in his or her former  
 31 school or another comprehensive school based on the pupil’s failure  
 32 to comply with any additional criteria imposed by a county board  
 33 of education beyond the terms of an order to expel issued pursuant  
 34 to Section 48916.

35 (c) The county board of education shall not add additional  
 36 academic or behavioral criteria or conditions that would extend  
 37 the duration of the placement of a pupil in a community school  
 38 beyond the terms of an order to expel issued pursuant to Section  
 39 48916.

1 SEC. 4. Section 1983 of the Education Code is amended to  
2 read:

3 1983. (a) Pupils enrolled in county community schools shall  
4 be assigned to classes or programs deemed most appropriate for  
5 reinforcing or reestablishing educational development.

6 (b) ~~Such~~ *These* classes or programs may include, but need not  
7 be limited to, basic educational skill development, on-the-job  
8 training, tutorial assistance, ~~independent study requirements~~, and  
9 individual guidance activities.

10 (c) An individually planned educational program based upon  
11 an educational assessment shall be prescribed for each pupil. *This*  
12 *program shall include, but not be limited to, all of the following:*

13 (1) *Efforts to continue a pupil's relationships with school*  
14 *personnel, including counselors from a pupil's former school.*

15 (2) *Any medical or mental health needs.*

16 (3) *Access to appropriate services and programs specified in a*  
17 *pupil's individualized education program.*

18 (4) *Efforts to address the language access needs of pupils*  
19 *identified as English learners.*

20 (d) The course of study of a county community school shall be  
21 adopted by the county board of education and shall enable each  
22 pupil to continue academic work leading to the completion of a  
23 regular high school program, *including access to college*  
24 *preparatory classes. Supplemental instruction shall also be*  
25 *provided to pupils who do not demonstrate sufficient progress*  
26 *toward passing the high school exit examination required pursuant*  
27 *to Section 60851.*

28 SEC. 5. Section 48660.1 of the Education Code is amended to  
29 read:

30 48660.1. It is the intent of the Legislature that school districts  
31 operating community day schools, to the extent possible, include  
32 the following program components:

33 (a) School district cooperation with the county office of  
34 education, law enforcement, probation, and human services  
35 agencies personnel who work with at-risk youth.

36 (b) Low pupil-teacher ratio.

37 (c) Individualized instruction and ~~assessment~~. *assessment, which*  
38 *includes all of the following:*

39 (1) *Any medical or mental health needs.*

1 (2) *Appropriate services and programs specified in a pupil’s*  
2 *individualized education program.*

3 (3) *Instruction to address the language access needs of pupils*  
4 *identified as English learners.*

5 (d) Maximum collaboration with school district support service  
6 resources, including, but not limited to, school counselors and  
7 psychologists, academic counselors, and pupil discipline personnel.

8 (e) *A course of study that enables each pupil to continue*  
9 *academic work leading to the completion of a regular high school*  
10 *program, including access to college preparatory classes.*  
11 *Supplemental instruction should also be provided to pupils who*  
12 *do not demonstrate sufficient progress toward passing the high*  
13 *school exit examination required pursuant to Section 60851.*

14 SEC. 6. Section 48662 of the Education Code is amended to  
15 read:

16 48662. (a) The governing board of a school district that  
17 establishes a community day school shall adopt policies that  
18 provide procedures for the involuntary transfer of pupils to a  
19 community day school.

20 (b) A pupil may be assigned to a community day school only  
21 if he or she meets one or more of the following conditions:

22 (1) The pupil is expelled for any reason.

23 (2) The pupil is probation referred pursuant to ~~Sections 300 and~~  
24 *Section 602 of the Welfare and Institutions Code. This referral*  
25 *shall be consistent with Section 48645.5. A pupil may challenge*  
26 *the referral to the juvenile court and request enrollment in another*  
27 *school.*

28 ~~(3) The pupil is referred to a community day school by a school~~  
29 ~~attendance review board or other district level referral process.~~

30 ~~(4)~~

31 (3) First priority for assignment to a community day school  
32 shall be given to a pupil expelled pursuant to subdivision (d) of  
33 Section 48915, second priority shall be given to pupils expelled  
34 for any other reasons, and third priority shall be given for  
35 placement to all other pupils pursuant to this section, unless there  
36 is an agreement that the county superintendent of schools shall  
37 serve any of these pupils.

38 SEC. 7. Section 48662.5 is added to the Education Code, to  
39 read:

1 48662.5. (a) A pupil who is enrolled in a community day  
2 school shall have the right to reenroll in his or her former school  
3 or another comprehensive school no later than six months after  
4 initial placement in the community day school, or immediately  
5 after completion of the expulsion period, whichever comes later,  
6 as long as the reenrollment is not inconsistent with any applicable  
7 conditions of the pupil's probation.

8 (b) A pupil shall not be denied reenrollment in his or her former  
9 school or another comprehensive school based on the pupil's failure  
10 to comply with any additional criteria imposed by a school district  
11 beyond the terms of an order to expel issued pursuant to Section  
12 48916.

13 (c) The school district shall not add additional academic or  
14 behavioral criteria or conditions that would extend the duration of  
15 the placement of a pupil in a community day school beyond the  
16 terms of an order to expel issued pursuant to Section 48916.

17 (d) Any school created for the purpose of enrolling pupils that  
18 may be assigned to a community day school pursuant to Section  
19 48662 shall follow the same procedures for the involuntary transfer  
20 of pupils to a community day school set forth in this article.

21 SEC. 8. Section 48918 of the Education Code is amended to  
22 read:

23 48918. The governing board of each school district shall  
24 establish rules and regulations governing procedures for the  
25 expulsion of pupils. These procedures shall include, but are not  
26 necessarily limited to, all of the following:

27 (a) (1) The pupil shall be entitled to a hearing to determine  
28 whether the pupil should be expelled. An expulsion hearing shall  
29 be held within 30 schooldays after the date the principal or the  
30 superintendent of schools determines that the pupil has committed  
31 any of the acts enumerated in Section 48900, unless the pupil  
32 requests, in writing, that the hearing be postponed. The adopted  
33 rules and regulations shall specify that the pupil is entitled to at  
34 least one postponement of an expulsion hearing, for a period of  
35 not more than 30 calendar days. Any additional postponement may  
36 be granted at the discretion of the governing board.

37 ~~Within~~

38 (2) *Within* 10 schooldays after the conclusion of the hearing,  
39 the governing board shall decide whether to expel the pupil, unless  
40 the pupil requests in writing that the decision be postponed. If the

1 hearing is held by a hearing officer or an administrative panel, or  
2 if the ~~district~~ governing board does not meet on a weekly basis,  
3 the governing board shall decide whether to expel the pupil within  
4 40 schooldays after the date of the pupil's removal from his or her  
5 school of attendance for the incident for which the recommendation  
6 for expulsion is made by the principal or the superintendent, unless  
7 the pupil requests in writing that the decision be postponed.

8 If

9 (3) *If* compliance by the governing board with the time  
10 requirements for the conducting of an expulsion hearing under this  
11 subdivision is impracticable during the regular school year, the  
12 superintendent of schools or the superintendent's designee may,  
13 for good cause, extend the time period for the holding of the  
14 expulsion hearing for an additional five schooldays. If compliance  
15 by the governing board with the time requirements for the  
16 conducting of an expulsion hearing under this subdivision is  
17 impractical due to a summer recess of governing board meetings  
18 of more than two weeks, the days during the recess period shall  
19 not be counted as schooldays in meeting the time requirements.  
20 The days not counted as schooldays in meeting the time  
21 requirements for an expulsion hearing because of a summer recess  
22 of governing board meetings shall not exceed 20 schooldays, as  
23 defined in subdivision (c) of Section 48925, and unless the pupil  
24 requests in writing that the expulsion hearing be postponed, the  
25 hearing shall be held not later than 20 calendar days ~~prior to~~ *before*  
26 the first day of school for the school year. Reasons for the extension  
27 of the time for the hearing shall be included as a part of the record  
28 at the time the expulsion hearing is conducted. Upon the  
29 commencement of the hearing, all matters shall be pursued and  
30 conducted with reasonable diligence and shall be concluded without  
31 any unnecessary delay.

32 (b) Written notice of the hearing shall be forwarded to the pupil  
33 at least 10 calendar days ~~prior to~~ *before* the date of the hearing.  
34 The notice shall include all of the following:

- 35 (1) The date and place of the hearing.
- 36 (2) A statement of the specific facts and charges upon which  
37 the proposed expulsion is based.
- 38 (3) A copy of the disciplinary rules of the *school* district that  
39 relate to the alleged violation.

1 (4) A notice of the parent, guardian, or pupil’s obligation  
2 pursuant to subdivision (b) of Section 48915.1.

3 (5) Notice of the opportunity for the pupil or the pupil’s parent  
4 or guardian to appear in person or to be represented by legal  
5 counsel or by a nonattorney adviser, to inspect and obtain copies  
6 of all documents to be used at the hearing, to confront and question  
7 all witnesses who testify at the hearing, to question all other  
8 evidence presented, and to present oral and documentary evidence  
9 on the pupil’s behalf, including witnesses. In a hearing in which  
10 a pupil is alleged to have committed or attempted to commit a  
11 sexual assault as specified in subdivision (n) of Section 48900 or  
12 committing a sexual battery as defined in subdivision (n) of Section  
13 48900, a complaining witness shall be given five days’ notice  
14 before being called to testify, and shall be entitled to have up to  
15 two adult support persons, including, but not limited to, a parent,  
16 guardian, or legal counsel, present during their testimony. Before  
17 a complaining witness testifies, support persons shall be  
18 admonished that the hearing is confidential. ~~Nothing in this~~ *This*  
19 subdivision shall *not* preclude the person presiding over an  
20 expulsion hearing from removing a support person whom the  
21 presiding person finds is disrupting the hearing. If one or both of  
22 the support persons is also a witness, the provisions of Section  
23 868.5 of the Penal Code shall be followed for the hearing. This  
24 section does not require a pupil or the pupil’s parent or guardian  
25 to be represented by legal counsel or by a nonattorney adviser at  
26 the hearing.

27 (A) For purposes of this section, “legal counsel” means an  
28 attorney or lawyer who is admitted to the practice of law in  
29 California and is an active member of the State Bar of California.

30 (B) For purposes of this section, “nonattorney advisor” means  
31 an individual who is not an attorney or lawyer, but who is familiar  
32 with the facts of the case, and has been selected by the pupil or  
33 pupil’s parent or guardian to provide assistance at the hearing.

34 (c) ~~(1) Notwithstanding Section 54593 of the Government~~  
35 ~~Code and~~ Section 35145, the governing board shall conduct a  
36 hearing to consider the expulsion of a pupil in a session closed to  
37 the public, unless the pupil requests, in writing, at least five days  
38 before the date of the hearing, that the hearing be conducted at a  
39 public meeting. Regardless of whether the expulsion hearing is  
40 conducted in a closed or public session, the governing board may

1 meet in closed session for the purpose of deliberating and  
2 determining whether the pupil should be expelled.

3 ¶

4 (2) *If* the governing board or the hearing officer or administrative  
5 panel appointed under subdivision (d) to conduct the hearing admits  
6 any other person to a closed deliberation session, the parent or  
7 guardian of the pupil, the pupil, and the counsel of the pupil also  
8 shall be allowed to attend the closed deliberations.

9 ¶

10 (3) *If* the hearing is to be conducted at a public meeting, and  
11 there is a charge of committing or attempting to commit a sexual  
12 assault as defined in subdivision (n) of Section 48900 or  
13 committing a sexual battery as defined in subdivision (n) of Section  
14 48900, a complaining witness shall have the right to have his or  
15 her testimony heard in a session closed to the public when  
16 testifying at a public meeting would threaten serious psychological  
17 harm to the complaining witness and there are no alternative  
18 procedures to avoid the threatened harm, including, but not limited  
19 to, videotaped deposition or contemporaneous examination in  
20 another place communicated to the hearing room by means of  
21 closed-circuit television.

22 (d) Instead of conducting an expulsion hearing itself, the  
23 governing board may contract with the county hearing officer, or  
24 with the Office of Administrative Hearings of the State of  
25 California pursuant to Chapter 14 (commencing with Section  
26 27720) of Part 3 of Division 2 of Title 3 of the Government Code  
27 and Section 35207, for a hearing officer to conduct the hearing.  
28 The governing board may also appoint an impartial administrative  
29 panel of three or more certificated persons, none of whom is a  
30 member of the board or employed on the staff of the school in  
31 which the pupil is enrolled. The hearing shall be conducted in  
32 accordance with all of the procedures established under this section.

33 (e) Within three schooldays after the hearing, the hearing officer  
34 or administrative panel shall determine whether to recommend the  
35 expulsion of the pupil to the governing board. If the hearing officer  
36 or administrative panel decides not to recommend expulsion, the  
37 expulsion proceedings shall be terminated and the pupil  
38 immediately shall be reinstated and permitted to return to *a the*  
39 ~~classroom instructional program, any other instructional program,~~  
40 ~~a rehabilitation program, or any combination of these programs.~~

1 Placement in one or more of these programs shall be made by the  
2 superintendent of schools or the superintendent's designee after  
3 consultation with school district personnel, including the pupil's  
4 teachers, and the pupil's parent or guardian from which the  
5 expulsion referral was made. The decision not to recommend  
6 expulsion shall be final.

7 (f) (1) If the hearing officer or administrative panel  
8 recommends expulsion, findings of fact in support of the  
9 recommendation shall be prepared and submitted to the governing  
10 board. All findings of fact and recommendations shall be based  
11 solely on the evidence adduced at the hearing. If the governing  
12 board accepts the recommendation calling for expulsion,  
13 acceptance shall be based either upon a review of the findings of  
14 fact and recommendations submitted by the hearing officer or  
15 panel or upon the results of any supplementary hearing conducted  
16 pursuant to this section that the governing board may order.

17 ~~The~~

18 (2) *The* decision of the governing board to expel a pupil shall  
19 be based upon substantial evidence relevant to the charges adduced  
20 at the expulsion hearing or hearings. Except as provided in this  
21 section, no evidence to expel shall be based solely upon hearsay  
22 evidence. The governing board or the hearing officer or  
23 administrative panel may, upon a finding that good cause exists,  
24 determine that the disclosure of either the identity of a witness or  
25 the testimony of that witness at the hearing, or both, would subject  
26 the witness to an unreasonable risk of psychological or physical  
27 harm. Upon this determination, the testimony of the witness may  
28 be presented at the hearing in the form of sworn declarations ~~which~~  
29 *that* shall be examined only by the governing board or the hearing  
30 officer or administrative panel. Copies of these sworn declarations,  
31 edited to delete the name and identity of the witness, shall be made  
32 available to the pupil.

33 (g) A record of the hearing shall be made. The record may be  
34 maintained by any means, including electronic recording, so long  
35 as a reasonably accurate and complete written transcription of the  
36 proceedings can be made.

37 (h) (1) Technical rules of evidence shall not apply to the  
38 hearing, but relevant evidence may be admitted and given probative  
39 effect only if it is the kind of evidence upon which reasonable  
40 persons are accustomed to rely in the conduct of serious affairs.

1 A decision of the governing board to expel shall be supported by  
2 substantial evidence showing that the pupil committed any of the  
3 acts enumerated in Section 48900.

4 ~~In~~

5 (2) *In* hearings ~~which~~ *that* include an allegation of committing  
6 or attempting to commit a sexual assault as defined in subdivision  
7 (n) of Section 48900 or committing a sexual battery as defined in  
8 subdivision (n) of Section 48900, evidence of specific instances,  
9 of a complaining witness' prior sexual conduct is to be presumed  
10 inadmissible and shall not be heard absent a determination by the  
11 person conducting the hearing that extraordinary circumstances  
12 exist requiring the evidence be heard. Before the person conducting  
13 the hearing makes the determination on whether extraordinary  
14 circumstances exist requiring that specific instances of a  
15 complaining witness' prior sexual conduct be heard, the  
16 complaining witness shall be provided notice and an opportunity  
17 to present opposition to the introduction of the evidence. In the  
18 hearing on the admissibility of the evidence, the complaining  
19 witness shall be entitled to be represented by a parent, guardian,  
20 legal counsel, or other support person. Reputation or opinion  
21 evidence regarding the sexual behavior of the complaining witness  
22 is not admissible for any purpose.

23 (i) (1) Before the hearing has commenced, the governing board  
24 may issue subpoenas at the request of either the superintendent of  
25 schools or the superintendent's designee or the pupil, for the  
26 personal appearance of percipient witnesses at the hearing. After  
27 the hearing has commenced, the governing board or the hearing  
28 officer or administrative panel may, upon request of either the  
29 county superintendent of schools or the superintendent's designee  
30 or the pupil, issue subpoenas. All subpoenas shall be issued in  
31 accordance with Sections 1985, 1985.1, and 1985.2 of the Code  
32 of Civil Procedure. Enforcement of subpoenas shall be done in  
33 accordance with Section 11455.20 of the Government Code.

34 (2) Any objection raised by the superintendent of schools or the  
35 superintendent's designee or the pupil to the issuance of subpoenas  
36 may be considered by the governing board in closed session, or in  
37 open session, if so requested by the pupil before the meeting. Any  
38 decision by the governing board in response to an objection to the  
39 issuance of subpoenas shall be final and binding.

1 (3) If the governing board, hearing officer, or administrative  
2 panel determines, in accordance with subdivision (f), that a  
3 percipient witness would be subject to an unreasonable risk of  
4 harm by testifying at the hearing, a subpoena shall not be issued  
5 to compel the personal attendance of that witness at the hearing.  
6 However, that witness may be compelled to testify by means of a  
7 sworn declaration as provided for in subdivision (f).

8 (4) Service of process shall be extended to all parts of the state  
9 and shall be served in accordance with Section 1987 of the Code  
10 of Civil Procedure. All witnesses appearing pursuant to subpoena,  
11 other than the parties or officers or employees of the state or any  
12 political subdivision thereof, shall receive fees, and all witnesses  
13 appearing pursuant to subpoena, except the parties, shall receive  
14 mileage in the same amount and under the same circumstances as  
15 prescribed for witnesses in civil actions in a superior court. Fees  
16 and mileage shall be paid by the party at whose request the witness  
17 is subpoenaed.

18 (j) Whether an expulsion hearing is conducted by the governing  
19 board or before a hearing officer or administrative panel, final  
20 action to expel a pupil shall be taken only by the governing board  
21 in a public session. Written notice of any decision to expel or to  
22 suspend the enforcement of an expulsion order during a period of  
23 probation shall be sent by the superintendent of schools or his or  
24 her designee to the pupil or the pupil's parent or guardian and shall  
25 be accompanied by all of the following:

26 (1) Notice of the right to appeal the expulsion to the county  
27 board of education.

28 (2) Notice of the education alternative placement to be provided  
29 to the pupil during the time of expulsion.

30 (3) Notice of the obligation of the parent, guardian, or pupil  
31 under subdivision (b) of Section 48915.1, upon the pupil's  
32 enrollment in a new school district, to inform that district of the  
33 pupil's expulsion.

34 (k) (1) The governing board shall maintain a record of each  
35 expulsion, including the cause ~~therefor~~ *for the expulsion*. Records  
36 of expulsions shall be a nonprivileged, disclosable public record.

37 ~~The~~

38 (2) ~~The~~ *The* expulsion order and the causes ~~therefor~~ *for the expulsion*  
39 shall be recorded in the pupil's mandatory interim record and shall  
40 be forwarded to any school in which the pupil subsequently enrolls

1 upon receipt of a request from the admitting school for the pupil's  
2 school records.  
3 SEC. 9. If the Commission on State Mandates determines that  
4 this act contains costs mandated by the state, reimbursement to  
5 local agencies and school districts for those costs shall be made  
6 pursuant to Part 7 (commencing with Section 17500) of Division  
7 4 of Title 2 of the Government Code.

O